

**RULES  
OF  
TENNESSEE DEPARTMENT OF SAFETY  
HIGHWAY PATROL DIVISION**

**CHAPTER 1340-3-2  
TENNESSEE DEPARTMENT OF SAFETY INSPECTION PROGRAM**

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**1340-3-2-.01 PURPOSE.** To establish a uniform system for conduction safety inspection on trailers semi-trailers, and pole trailers which are homemade or materially reconstructed, as defined herein where required to be titled or registered, under the provisions of T.C.A. Title 55, to operated over the roads and highways of the State of Tennessee

**Authority:** T.C.A. §55-4-101. **Administrative History:** Original rule filed December 11, 1986; effective March 31, 1987.

**1340-3-2-.02 DEFINITIONS**

- (1) Trailer. Every vehicle with or without motive power, other than a pole trailer, designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that no part of its weight rests upon the towing vehicle.
- (2) Semi-Trailer. Every vehicle with or without notice power, other than a pole trailer, designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that some part of its weight and that of its load rests upon or is carried by another vehicle.
- (3) Pole Trailer. Every vehicle without motive power designed to be driven by another vehicle and attached to the towing vehicle by means of a reach or pole, or by being boomed or otherwise secured to the towing vehicle, and ordinarily used for transporting long or irregularly shaped loads such as poles, piper or structural members capable, generally of sustaining themselves as beams between the supporting connections.
- (4) Property. Means any trailer, semi-trailer and pole trailer which is homemade or materially reconstructed as defined herein which is required under the provisions of Title 55 to be titled or registered to operated over the roads and highways of the State Tennessee.
- (5) "Homemade" means the construction or assembly of a trailer from new or used parts, or both, using a body or frame not originating from any previously manufactured trailer.
- (6) "Materially Reconstructed" means substantial alternation or modifications made to an original manufacturer's specifications. Substantial alterations or modifications shall be deemed to have occurred if the trailer has undergone a major manufacturing alternation which has materially changed the original configuration, structure or specifications of basic components of a previously assembled or manufactured trailer.
- (7) Applicant. That person who is requesting in writing that the Department of Safety inspect his property pursuant to T.C.A. §55-4-101.

(Rule 1340-3-2-.02, continued)

- (8) Application for Inspection. That form furnished by the Tennessee Department of Safety or any County Court Clerk's Office requesting that the Tennessee Department of Safety perform a Safety Certification Inspection.
- (9) Safety Inspector. That person employed by the Tennessee Department of Safety to inspect property pursuant to T.C.A. §55-4-101.
- (10) Inspection. That process performed by a safety inspector of the Tennessee Department of Safety on the property as requested by the applicant to see if the property meets the requirements of T.C.A. Title 55, Chapter 9 and the Safety Rules and Regulations of the Tennessee Department of Safety.
- (11) Inspection Report. Shall mean a report and checklist maintained by the Tennessee Department of Safety which is completed at each and every safety inspection designation whether or not such property meets or does not meet the requirements of T.C.A. Title 55, Chapter 9 and the Safety Rules and Regulations of the Tennessee Department of Safety.
- (12) Inspection Fee Receipt. That form issued by the Tennessee Department of Safety confirming that the applicant has paid the required \$25,00 inspection fee.
- (13) Safety Inspection Certification Certificate. A form furnished by the Tennessee Department of Safety designating whether or not such property meets the requirements of T.C.A. Title 55, Chapter 9 and the Tennessee Department of Safety Rules and Regulations.

**Authority:** T.C.A. §55-4-101. **Administrative History:** Original rule filed December 11, 1986; effective March 31, 1987.

#### **1340-3-2-.03 APPLICATION FOR SAFETY INSPECTION:**

- (1) Any person wanting the Tennessee Department of Safety to perform a safety inspection on a trailer, semi-Trailer, or pole trailer, or pole trailer which is homemade or materially reconstructed and is required to be titled or registered in the State of Tennessee Shall complete an application for Safety Inspection form.
- (2) Each inspection shall be at the site of the property to be inspected. The property shall not be operated on any Tennessee highway until receiving a Safety Inspection Certification Certificate.
- (3) The Tennessee Department of Safety shall inspect said property at the earliest possible time without any unreasonable delays and during normal business hours.

**Authority:** T.C.A. §55-4-101. **Administrative History:** Original rule filed December 11, 1986; effective March 31, 1987.

#### **1340-3-2-.04 LOCATION AND TIME OF INSPECTION.**

- (1) After receiving a written Application for Inspection the Tennessee Department of Safety shall confirm with the applicant by telephone or in writing the time and location that that Tennessee Department of Safety will inspect said property.
- (2) Each inspection shall be at the site of the property to be inspected. The property shall not be operated on any Tennessee highway until receiving a Safety Inspection Certification Certificate.

(Rule 1340-3-2-.04, continued)

- (3) The Tennessee Department of Safety shall inspect said property at the earliest possible time without any unreasonable delays and during normal business hours.

**Authority:** T.C.A. §55-4-101. **Administrative History:** Original rule filed December 11, 1986; effective March 31, 1987.

#### **1340-3-2-.05 INSPECTION FEE.**

- (1) The fee for each inspection shall be \$25.00. Said fee shall be assessed and collected by the Tennessee Department of Safety whether or not the property meets the requirements of T.C.A. Title 55, Chapter 9 and the Safety Rules and Regulations of the Tennessee Department of Safety.
- (2) If the applicant makes a later request for a second or subsequent inspection for the same property after having already completed an Application for Safety Inspection, the applicant shall pay the \$25.00 Inspection Fee for the second or any subsequent inspection.

**Authority:** T.C.A. §55-4-101. **Administrative History:** Original rule filed December 11, 1986; effective March 31, 1987.

#### **1340-3-2-.06 INSPECTION COMPLIANCE.**

- (1) Any trailers, semi-trailers, which are homemade or materially reconstructed as defined herein and are required to be titled or registered, under the provisions of T.C.A. Title 55, to operate over the roads and highways of the State of Tennessee shall be inspected by the Tennessee Department of Safety pursuant to these safety rules and regulations established herein, T.C.A. Title 55, Chapter 9, Lighting and Equipment Regulations and the Federal Motor Carrier Safety Regulations and Noise Emission Requirements of October 31, 1983.

**Authority:** T.C.A. §55-4-101. **Administrative History:** Original rule filed December 11, 1986; effective March 31, 1987.

#### **1340-3-2-.07 INSPECTION REPORT.**

- (1) The applicant shall be issued the original of the inspection report after the property has been inspected by the Tennessee Department of Safety. A copy of the Inspection Report shall be kept by the safety inspector and one copy to be kept in a central location along with the Application, Inspection Fee Receipt, and Safety Inspection Certification Certificate.
- (2) The Inspection Report shall designate whether or not the items inspected meet the requirements of T.C.A. Title 55, Chapter 9, and the Tennessee Department of Safety Rules and Regulations. If such items do not meet the said requirements, then the Tennessee Department of Safety shall briefly identify the nature of the safety violations on the Inspection Report.
- (3) The Inspection Report shall be signed by the safety inspector and the applicant requesting the inspection. The Identification Certification Number shall be placed on the corresponding Inspection Report.

**Authority:** T.C.A. §55-4-101. **Administrative History:** Original rule filed December 11, 1986; effective March 31, 1987.

#### **1340-3-2-.08 CERTIFICATION OF PROPERTY.**

(Rule 1340-3-2-.08, continued)

- (1) When such property is found to be in compliance with the requirements of T.C.A. Title 55, Chapter 9, and the Tennessee Department of Safety Rules and Regulations, the safety inspector shall permanently affix to such property an Identification Certification Number. The safety inspector shall issue a Safety Inspection Certification Certificate to certify compliance with T.C.A. Title 55, Chapter and the Tennessee Department of Safety Rules and Regulations.

**Authority:** T.C.A. §55-4-101. **Administrative History:** Original rule filed December 11, 1986; effective March 31, 1987.

**1340-3-2-.09 VIOLATORS APPREHENDED WHILE PULLING PROPERTY WITHOUT A SAFETY CERTIFICATION CERTIFICATE.**

- (1) While pulling such property on any street, road, highway or interstate system, a person is apprehended for violation T.C.A. §55-4-101 such person shall be issued a citation for violation said statute
- (2) When it is determined that such person is pulling such property on any street, road, highway, or interstate system in violation of T.C.A. §55-4-101, any enforcement officer shall allow such person to make their own arrangements for having the property towed to their residence or a facility of their choice at the violators expense.
- (3) When a person is found to be in violation of T.C.A. §55-4-101 while pulling such property on any street, road, or interstate system and that person does not make any arrangements for having the property towed to their residence or a facility of their choice, the enforcement officer shall then make the necessary arrangements to have the property towed to the closest facility available for storage. Any storage charges shall be charged to the owner/operator of the property being stored and not charged to the Tennessee Department of Safety
- (4) Any person found to be in violation of T.C.A. §55-4-101 shall be allowed an opportunity to complete an Application for Inspection Form and file it with the Tennessee Department of Safety,. The Tennessee Department of Safety shall then confirm an inspection date to inspect said property.

**Authority:** T.C.A. §55-4-101. **Administrative History:** Original rule filed December 11, 1986; effective March 31, 1987.